

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

UNITED STATES OF AMERICA, :
: .
PLAINTIFF, :
: .
v. : CIVIL NO. 18-480-JPG-SCW
: .
ONE MAS, MODEL MLE 1938, :
MACHINEGUN, 7.65 CALIBER, :
BEARING SERIAL NUMBER F17469 :
AND ANY AND ALL AMMUNITION :
CONTAINED THEREIN OR SEIZED :
THEREWITH, :
: .
DEFENDANT. :
:

JUDGMENT AND DECREE FOR FORFEITURE

A default having been entered as to Joseph Phoenix, Blenda May, and all interested parties in the above case on the 24th day of May, 2018 [Doc. 10], all in accordance with Rule 55(b) of the Federal Rules of Civil Procedure, and counsel for plaintiff having requested judgment against the defaulted defendants and having filed a proper motion with the Court as to the requested relief;

On the 22nd day of February, 2018, a Verified Complaint for Forfeiture [Doc. 1] against the defendant, more further described as:

One MAS Model MLE 1938, 7.65 caliber Machinegun, bearing serial number F17469, and any and all ammunition contained therein or seized therewith

was filed on behalf of the plaintiff, United States of America. The Complaint alleges that the property constitutes a firearm and ammunition involved in or used in a knowing violation of 26 U.S.C. § 5861(d).

It appearing that process was fully issued in this action and returned according to law;

That pursuant to a warrant of arrest issued by this Court, the United States Marshals Service seized the property on March 26, 2018 [Doc. 7];

That notice of this action was also published on an official government website (www.forfeiture.gov) for at least 30 consecutive days, beginning March 17, 2018 (See Notice of Filing of Declaration of Publication [Doc. 8]).

That Joseph Phoenix, Blenda May, and all interested parties were defaulted on the 24th day of May, 2018, [Doc. 10];

Now, therefore, on motion of the plaintiff, United States of America, for a Judgment, pursuant to Fed.R.Civ.P. 55(b) and Decree of Forfeiture, the property, more further described as:

One MAS Model MLE 1938, 7.65 caliber Machinegun, bearing serial number F17469, and any and all ammunition contained therein or seized therewith

is hereby ordered forfeited to the United States of America and no right, title or interest in the property shall exist in any other party. The defendant property shall be disposed of according to law by the property custodian for the Bureau of Alcohol, Tobacco, Firearms and Explosives or by the United States Marshal.

IT IS HEREBY ORDERED AND ADJUDGED that judgment is entered in favor of the plaintiff, United States of America, and against the defendant as described above.

DATE: May 29, 2018

**s/J. Phil Gilbert
J. PHIL GILBERT
United States District Judge**